

Application Serial No.: 09/898,266

Attorney Docket No.: 37077.001005

REMARKS

Claims 1-11, 13-35, 40-57, and 59 are pending in the application. Claims 36-39 and 58 have been withdrawn from consideration.

By this Amendment, claims 1, 9, 13 and 14 are amended, and claim 12, as well as claims 36-39 and 58, are canceled without prejudice or disclaimer to the subject matter set forth therein. Reconsideration and allowance in view of the foregoing amendments and following remarks are respectfully requested.

No new matter has been added by this Amendment. Applicant believes that the application is now in condition for allowance and notice thereof is respectfully requested.

I. THE ALLOWABLE SUBJECT MATTER

The Office Action indicates that claims 31-35, 40-54 and 59 are allowed. Further, the Office Action indicates that claims 9-14¹ are objected to as being dependent on a rejected base claim, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Applicant appreciates such indication of allowable subject matter.

Applicant traverses the pending rejection under 35 U.S.C. §103. However, in order to expedite prosecution of the present application, Applicant has amended the application based on the indication of allowable subject matter. Accordingly, it is respectfully submitted that all claims in the present application are in condition for allowance.

Specifically, the application has been amended as follows:

Claim 1 is amended to include the features of claim 12, with claim 12 being

¹ The Office Action includes claims 9-14 in the 35 U.S.C. §103 rejection. However, based on a review of the Office Action (page 8) and as confirmed in a telephone conference with Examiner Fleurant on August 20, 2004, such inclusion appears to be an oversight.

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cancelled.

The dependencies of claims 13 and 14 are amended.

Claim 9 is amended to include the features of claim 1.

Non-elected claims 36-39 and 58 are cancelled.

II. THE RESTRICTION REQUIREMENT

Claims 36-39 and 58 were withdrawn as being directed to a non-elected group. As set forth above, Applicant hereby cancels such claims.

III. CONCLUSION

For at least the reasons outlined above, Applicant respectfully asserts that the application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are respectfully solicited.

Should the Examiner believe anything further is desirable in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the telephone number listed below.

For any fees due in connection with filing this Response the Commissioner is hereby authorized to charge the undersigned's Deposit Account No. 50-0206.

Respectfully submitted,
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